

1 THE HONORABLE BARBARA J. ROTHSTEIN
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 FIDEL ZELEKE,

9 Plaintiff,

10 vs.

11 SP PLUS CORPORATION,

12 Defendant.

NO. 2:19-CV-00938-BJR

**STIPULATED MOTION AND
ORDER TO CONTINUE DISCOVERY
AND DISPOSITIVE MOTION
DEADLINES**

STIPULATION

14 The parties, Plaintiff Fidel Zeleke and Defendant SP Plus Corporation (“SP Plus”) by and
15 through their respective counsel, respectfully and jointly request that two dates on the Stipulated
16 Motion and Order to Continue Trial Dates and Related Dates (Dkt. 19) be continued as follows:

17 • Deadline to complete discovery continued from August 11, 2020, to September 25,
18 2020 (45-day continuance);
19 • Deadline to file all dispositive motions continued from September 10, 2020, to
20 October 26, 2020 (46-day continuance);

21 Good cause, as required by the Court’s Order Setting Trial Date and Related Dates, exists
22 for this continuance for the following reasons:

23 • On March 13, 2020, President Donald J. Trump proclaimed a national emergency due
24 to the global outbreak of COVID-19, a novel coronavirus, under the U.S. Constitution, sections
25 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and consistent with

STIPULATED MOTION FOR ORDER TO
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1 section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5);

2 • Courts, businesses, and borders have been shut down or are operating on a limited or
3 restricted basis due to the COVID-19 pandemic, and stay-at-home orders and prohibitions on
4 group gatherings are in effect for the State of Washington;

5 • On March 17, 2020, Chief United States District Judge Ricardo S. Martinez issued
6 Emergency Order 2-20, which continues to govern the Court's operations, and which gave the
7 Court discretion to amend scheduling orders as appropriate;

8 • The stay at home orders have impacted the parties' ability to travel to conduct
9 depositions, which will take place in Seattle;

10 • The outbreak and related stay-at-home orders have significantly impacted the parties
11 and counsel's schedules causing a need for a continuance, and counsel are willing to prepare a
12 declaration to these facts if requested by the Court; and

13 • Counsel have conferred and agree on the above as required by the Court's Chambers
14 Rules.

15 The parties have been diligent in their conduct of discovery prior to the aforementioned
16 events, and continue to make best efforts to do so. Defendant has propounded and received
17 Plaintiff's responses to discovery requests under Rules 33 and 34. Plaintiff has propounded and
18 received Defendant's responses to discovery requests under Rules 33 and 34 on June 5, 2020.
19 The parties are presently scheduling video depositions in light of ongoing stay-at home orders.

20 The parties are also presently engaged in settlement negotiations, and the requested
21 extension contemplates that the parties will continue to engage settlement negotiations.

22 Pursuant to Fed. R. Civ. P. 11, Plaintiffs' and Defendants' counsel attest to these facts,
23 respectively, by their signatures below.

24 Accordingly, by this Joint Motion, the parties request that the above-listed dates be
25 continued as indicated.

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1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

2 DATED this 7th day of August, 2020.

3 **GORDON REES SCULLY MANSUKHANI, LLP**

4 **LAW OFFICE OF RODNEY MOODY**

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10 **ORDER**

11 PURSUANT TO THE STIPULATION ABOVE, IT IS HEREBY ORDERED,
12 ADJUDGED AND DECREED that the parties' request for a continuance of the trial date and
13 related dates is GRANTED.

14 DATED this 10th day of August, 2020.

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18 THE HONORABLE BARBARA J. ROTHSTEIN
19 United States District Court Judge
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